

REMARKS:

Claim 14-28 are currently pending, among which claim 14 is an independent claim.

Claim Rejection under 35 USC 102

Claims 14-28 were rejected under 35 U.S.C. 102(b) as being anticipated by Weiler et al. The Examiner found in the Office Action that in Weiler, the cylindrical pins 24 restrict the spiral looping 21 of the retaining spring 12 from rotating. Applicants respectfully submit that this finding is based on a wrong understanding of a disk brake.

In Weiler, the brake carrier 1 is to be fastened to the vehicle. (col. 4, lines 28-30). The brake pads are supported and guided in the carrier arms 8 of the brake carrier 1. (col. 4, lines 40-41). Also, the fist-and-frame-type caliper 3 has a frame 9 which surrounds the lower edge of the fist-type caliper like a frame and is connected therewith. (col. 4, lines 42-46). In other words, the frame 9 and the caliper 3 are considered one piece and move along with the outer side brake pad of the brake pads 5. Please note that the cylindrical pins 24 are fixed to the frame 9. (col. 6, lines 5-8). The cylindrical pins 24 are not fixed to the brake carrier 1 to be fixed to the vehicle.

Further, the end sections of the spring arms 14 or of the outer spring legs 23 are bent axially inwards and each reach through an aperture 11 in the caliper 3 in order to support themselves with appropriate spring elasticity in the radial direction R on the under sides of the carrier arms 8 of the brake carrier 1. (col. 6, lines 17-22, see also Fig. 6). Therefore, the spring arms 14 only function to support the caliper 3 in the radial direction R and do not function to pull one of the brake pads 5 away from the rotor.

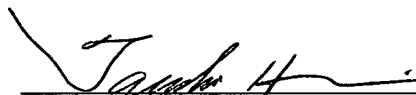
Weiler fails to show the invention recited in claim 14. The disc brake recited in claim 14 comprises “a return spring that has a base end attached to one of the brake pads and a distal end configured to press the supporting member so as to urge, by reaction, the one of the brake pads away from the disc rotor.” The supporting member is fixable to the vehicle. The at least one wall elevates from the supporting member. There is nothing in Weiler that discloses or teaches

the configuration defined in claim 14.

Respectfully submitted,

April 11, 2007

Date

A handwritten signature in black ink, appearing to read "Tadashi Horie", written over a horizontal line.

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